

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,
VILLAGE HALL, ON WEDNESDAY, MARCH 4, 1998.**

Members

Present: Peter Lilienfield, Acting Chair
Robert Buford
William Hoffman
Allen Morris, Secretary

Members Absent: Patrick J. Gilmartin

Also Present: Kevin J. Plunkett, Village Counsel
Brenda Livingston, Ad Hoc Planning Board
Member

Eugene Hughey, Building Inspector
Florence Costello, Planning Board Clerk
Robert Citarell, E.C.B.
J&L Reporting Service, for Westwood
Development Assoc.
Applicants and other persons mentioned in
these Minutes
Members of the Public.

IPB Matters

Considered: 94-03 -- Westwood Development
Associates, Inc.

Sht.10,10C,11,Lots
25K,25J2,25K2,25A,26A
96-13 -- Louis W. Goodkind
Sht. 10F, Bl. 253, Lot 15
97-14 -- Ettore & Maria D'Alessio
Sht. 13, Lot 141A
97-22 -- Spectrum Irvington Corp.
Sht. 12B, Lot #38
98-06 -- Robert & Katherine Mackie
Sht. 2, P110C & 110D
98-08 -- Spectrum Irvington Corp.
Sht. 12B, Lot #2
98-09 -- Spectrum Irvington Corp.
Sht. 12B, Lot #41
98-10 -- Randall & Anne Shepherd
Sht. 7A, Bl. 232, Lot 32-35
98-11 -- Fred & Helen Herlitz
Sht. 2, P109T2 & P109U
98-12 -- Boran Construction

98-13 -- Ronald & Mary Johnn

Sht. 10B, Bl. 229, Lot 26

p.m.

at Harriman Road and Fieldpoint Drive.

reaffirmed they are Lead Agency.

27 Hamilton Rd.

the April meeting.

53 Hudson Avenue.

the footprint by 765 sq. ft. (6,136 cu. ft.). Drawings

prepared by Christina Griffin, Architect, dated February 20, 1998 were submitted to the Board.

The Chairman, with the Board's concurrence stated that the application would be treated as an Application for Waiver of Site Development Plan Approval. Mr. Mastromonaco's memo dated March 2, 1998 was addressed. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed addition meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

IPB Matter #98-11:
Herlitz for Site

Application of Fred W. & Helen L.

Development Plan Approval for property

at 28

Matthiessen Park.

Mr. Herlitz appeared personally for the application. Applicant paid the required application fee and submitted evidence of mailing of Required Notice to Affected Property Owners. The proposed enlargement of the existing residence consists of an entry and library on the first floor and to finish two bedrooms and bath on the second floor. The footprint of the house will be increased 1,590 sq. ft., a total of approximately 13,000 cu. ft. Drawings prepared by Opacic Architects dated February 19, 1998, were submitted to the Board. Mr. Mastromonaco's memo dated March 2, 1998 was given to the Applicant.

The Chairman, with the Board's concurrence stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. It was noted that construction would occur within the front yard setback, but the existing structure already infringes. The plans will not result in an increase in the degree of non-conformance. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed alteration and addition meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW**,

THEREFORE, the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application.

IPB Matter #98-10: **Application of Randall & Anne
Shepherd for Site**
 **Development Plan Approval for property
at 34**
 Station Road.

Mrs. Anne Shepherd, owner, and Mark Olson, Architect, appeared on behalf of the Application. Applicant paid the required application fee and provided evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of a two-story 714 sq. ft. addition, approximately 5,712 cu. ft. Applicant submitted drawings prepared by Harvey A. Berg, Architect, dated February 17, 1998: "Addition and Alterations to the Shepherd Residence, Site Information, S-1, Foundation, Site and Section, A-1, Proposed First Floor, A-2, Proposed Second Floor & Partial Section, A-3, Proposed Elevations, A-4, and Proposed Elevations, A-5. There were no comments from the public. Applicant was directed to the Zoning Board of Appeals for a zoning variance for the front yard encroachment. The Application was carried over to the April 1, 1998 Planning Board meeting.

IPB Matter #97-22: **Application of Spectrum Irvington
Corp. for Amended**
 **Site Development Plan Approval for Lot
#38, Legend**
 Hollow Subdivision.

Messrs. Craig Studer and Dan Gray appeared for the Application. Applicant paid the required application fee and provided an Affidavit of Publication and evidence of mailing of required Notice to Affected Property Owners. The Applicant submitted a drawing entitled: "Site Plan (Lot #38) revised March 4, 1998."

The Application related to a requested modification of prior site plan approval for the construction of a second curb-cut for a driveway. There were no comments from the public. Ralph Mastromonaco's comments dated

March 2, 1998 were addressed. After further discussion, upon motion duly made and adopted the Board approved the amended site plan.

IPB Matter #98-08 & 98-09: Application of Spectrum
Irvington Corp. for Site
Development Plan Approval for Lots
2 & 41, Legend
Hollow Subdivision.

Messrs. Craig Studer and Dan Gray appeared for the Applicant. Applicant paid required application fees and provided an Affidavit of Publication and evidence of mailing of required Notice to Affected Property Owners. E.C.B. comments dated February 4, 1998 and Ralph Mastromonaco's memos dated March 4, 1998 were considered.

IPB Matter #98-09: Lot #41

The Chairman opened the public hearing. There were no comments from the public. E.C.B. memo regarding three specimen tulip trees was discussed. Additional discussion was held on a future aerator in the detention basin; owner would have to submit an amendment to the site plan if he sought approval to install an aerator. The Board closed the public hearing and approved "Site Plan (Lot #41) Legend Hollow, dated 2/2/98, revised 3/2/98".

IPB Matter #98-08: Lot # 2

The Chairman opened the public hearing. There were no comments from the public. Discussion followed regarding the proximity of adjacent driveway and drains. The plans included a change in the location of the discharge for the roof leaders, as discussed during the Board's site walk. The Board closed the public hearing and took the following action. It approved "Site Plan (Lot #2) Legend Hollow, prepared 2/2/98, revised 3/1/98.

IPB Matter #98-06: Application of Robert & Katherine
Mackie for a

Norman Sheer, Esq., and Timothy Cronin, P.E., appeared for the Application. Applicant provided an Affidavit of Publication and evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of division of the Applicant's property into three residential building lots and to allow the construction of two new homes. Applicant submitted drawings entitled "Site Capacity Determination and Proposed 3 Lot Subdivision for Robert and Katherine Mackie" prepared by Cronin Engineering, dated January 21, 1998, with revisions through February 17, 1998.

IPB Matter #94-03: Application of Westwood
Development Associates, Inc.,
for Limited Site Development Plan
Approval for property at
Broadway, Riverview Road and Mountain
Road.

A complete transcript of the proceedings relating to this matter was prepared and is incorporated herein by reference.

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Ken Nadler, Architect, appeared for the Applicant. Discussion was informal. Board concerns were: parking, loft concept, site capacity determination will have to be completed, potential zoning variance issues.

Ministerial:

- Spectrum-Irvington, Legend Hollow Subdivision, submitted Site Development Plan Approval Applications for Lots, 1, 8, 9, 11, 13, 29 and 39, for review and public hearing at the April 1, 1998 Planning Board meeting. A site walk is planned for March 22, 1998 at 9:30 a.m.
- Planning Board site walk was scheduled for IPB #98-06 (Mackie property) for March 15, 1998 at 9:30 a.m.
- The Chairman noted receipt of Mr. Robert Bauer's letter dated 2/11/98 regarding trees on private property on Northeast corner of Hudson Road East and South Broadway, and Mr. Gilmartin's reply dated 2/13/98.
- Minutes of the Planning Board held on February 4, 1998, previously distributed, were on motion duly made and seconded, approved.
- The next regular meeting of the Planning Board was scheduled for April 1, 1998.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Allen Morris, Secretary